THE HON'BLE SRI JUSTICE
GODA RAGHURAM

W.P.No. 17361 of 2007

14-08-2007

Between:

Pasala Surayyamma

Petitioner

And

The Collector (Revenue),
East Godavari District and two others.

Respondents.

THE HON'BLE SRI JUSTICE
GODA RAGHURAM

W.P.No. 17361 of 2007

Oral Order:

According to the petitioner, she is the owner of agricultural land in an extent of Ac.15-87 in survey No. 264 of S. Agraharam village, Sankhavaram mandal, Peddapuram division, East Godavari district. There is a mango garden in the said land. It would appear that the third respondent had sent up proposals to the second respondent for acquisition of Ac.04-50 cents belonging to the petitioner and

Ac.04-50 cents in survey No.252/1 belonging to another

person. After proposals were made by the third respondent, there were no formal proceedings initiated for acquisition of the land including by issuance of notification under Section 4 (1) of the Land Acquisition Act, 1894 (for short 'the Act'), is the assertion. However, the petitioner got issued a legal notice to the second and third respondents alleging that the officials of these respondents are threatening dispossession of the petitioner on account of political expedience in the grant of pattas to the beneficiaries, even without formal process of acquisition. The petitioner alleges that the respondents are threatening to dispossess the petitioner without following the due process of law and that they have threatened that pattas have also been drafted for distribution to the beneficiaries, would be issued and the petitioner would be dispossessed.

Learned Government Pleader for the Land Acquisition appearing on behalf of the respondents fairly states that the respondents are disentitled to dispossess any citizen of his property without following the due process of law and the executive power of the State does not extend to dispossess the citizen from his property without following the process of law.

Recording this submission made on behalf of the respondents, the writ petition is disposed of at the stage of admission. There shall be no order as to costs.

GODA RAGHURAM, J

Dated: 14-08-2007
pvks

Nb: Furnish c.c. in two days.
B/0 pvks/*